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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Group:</i>	1651	}
<i>Confirmation No.:</i>	8735	
<i>Application No.:</i>	10/582,811	}
<i>Invention:</i>	Composition And Method For Inhibiting Salmonella And Campylobacter Colonization In Poultry	
<i>Applicants:</i>	Michael Doyle, Guodong Zhang, Li Ma	
<i>Filed:</i>	June 14, 2006	}
<i>Attorney Docket:</i>	31725-200230	
<i>Examiner:</i>	Deborah K Ware	

DECLARATION UNDER 37 C.F.R. § 1.132 OF DR. LI MA

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22213-1450

I, Li Ma, declare as follows:

1. I am a named co-inventor of the captioned application. At the time of the invention and at the time the experiment described herein was conducted, I was an employee of The University of Georgia (UGA). The University of Georgia Research Foundation, Inc owns the rights in the captioned application. I received a Bachelors Degree in Science in Food Engineering from Dalian Light Industry Institute in 1985 and a PhD in Food Microbiology from Purdue University in 1999. My research has centered

on food microbiology. I have generated over 50 authored or co-authored publications and presentations during my time working at UGA.

2. I have read and understand the specification of the captioned application and the pending claims in the application. The pending claims of the captioned patent application are directed to a defined competitive exclusion composition comprising an isolated microorganism strain selected from the group consisting of *Streptococcus cristatus* List40-13, *Lactobacillus salivarius* Salm-9, *Lactobacillus salivarius* List40-18 and *Lactobacillus salivarius* List40-41.

3. I understand that the Examiner has made reference to a *Lactobacillus salivarius* strain disclosed by Stern et al (US Patent No. 7,132,102) and has stated that the claimed isolates appear to be the same as the isolate disclosed by Stern et al. I have knowledge of the results described below because the experiment described below was conducted under my direction.

4. A comparison of pulsed-field gel electrophoresis (PFGE) patterns of *Apal*-digested genomic DNA of the relevant *Lactobacillus salivarius* strains is shown in Exhibit A. PFGE has been used as golden standard in outbreak investigations to discriminate between similar isolates. The procedures for conducting such analysis are well known to those skilled in the art.

5. The data presented in Exhibit A shows that strains *Lactobacillus salivarius* Salm-9 (ATCC Accession no. PTA-6307), *Lactobacillus salivarius* List40-18 (ATCC Accession no. PTA-6308) and *Lactobacillus salivarius* List40-41 (ATCC Accession no. PTA-6309) are different strains from the Stern's strain (Accession Number NRRL-B30514). In addition each of the three *Lactobacillus salivarius* strains (Salm-9, List40-18 and List40-41) is also a separate and distinct isolate from one another.

All statements herein made of my own knowledge are true, and all statements herein made on information and belief are believed to be true; these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: September 4, 2009

By: Li Ma



Li Ma, Ph.D.

Exhibit A

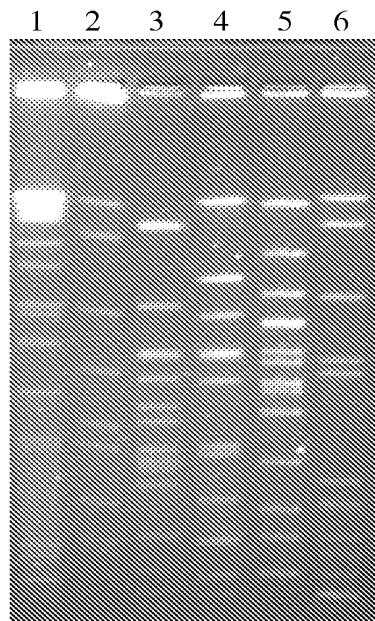


Figure 1. Pulsed-field gel electrophoresis (PFGE) patterns of *ApaI*-digested genomic DNA of *Lactobacillus salivarius* strains. Lane 1, DNA ladder; Lane 2, Reference strain ATCC 11742; Lane 3, NRRL B-30514 (Stern's patent strain); Lane 4, Salm-9; Lane 5, List 40-18; and Lane 6, List 40-41